

**BERKELEY COUNTY WATER& SANITATION**  
**REQUEST FOR PROPOSALS**



**January 25, 2010**

**SOLID WASTE PROFESSIONAL SERVICES**

Berkeley County Water & Sanitation  
Solid Waste Management Facility  
Solid Waste Professional Services

## **ADVERTISEMENT**

### **REQUEST FOR PROPOSALS SOLID WASTE PROFESSIONAL SERVICES**

Sealed Requests for Proposals will be accepted by Berkeley County Water & Sanitation, hereafter referred to as the Purchaser or Owner until **4:00 PM LOCAL TIME, Friday, February 26, 2010.**

Berkeley County Water & Sanitation seeks engineering firms with capabilities for design of solid waste projects. These projects would include; but not limited to, Landfill Gas to Energy, Leachate Pretreatment, MSW Subtitle D Cell Expansions, Construction & Demolition Landfill Expansions, Compost Facility, Construction Bid Documents and recommendations, CQA, and Strategic Planning

Berkeley County Water & Sanitation is interested in a long term relationships/partnering, and market strategies for both the selected engineering firm and BCWS. Therefore the ability to create and execute such a plan is an important element of the proposal.

Additional information and qualification instructions may be obtained from Cheryl Lyons, Manager of Purchasing at (843) 719-2661.

Berkeley County Water & Sanitation reserves the right to accept or reject, in whole or in part, any and all proposals and be the sole judge in the evaluation of proposals. Berkeley county Water & Sanitation further reserves the right to waive any informalities or technical errors that would otherwise be of no effect to the proposal as submitted.

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## **SECTION I - OVERVIEW**

### **A. INTRODUCTION/BACKGROUND**

Berkeley County Water & Sanitation, Solid Waste Management Facility, (BCWS), offices are located at the corner of Highway 52 and Oakley Road in Berkeley County, South Carolina. The site's address is 555 Oakley Road, Moncks Corner, South Carolina 29461. The Solid Waste Management Facility has been in operation since the early 1970's and consists of four different MSW Landfills, the latest being a Sub-Title D Landfill. The Sub-Title D Landfill was opened in January, 1999 and consists of eight active cells. The eight active cells encompass approximately 40 acres with an estimated in-place waste amount of 1,089,222 CY with a remaining permitted airspace capacity of 6,584,467 CY. Waste is accepted at the rate of 247,216 tons/year. BCWS also has a Construction Demolition Landfill with available Airspace of approximately 420,000 CY, with an additional 1,960,000 in the process of being permitted.

BCWS currently does have a LFG collection system; with approximately 45 wells on the Sub-Title D Class III Landfill and another 16 well on a closed Vertical Expansion Class III Landfill. All wells are currently connected to a 2,500 sCFM flare/blower station with future plans to sell the landfill gas to Santee Cooper. This system was designed and constructed by SCS Engineers.

### **B. QUALIFICATIONS SUBMISSION**

An original and seven (7) copies of respondent's proposal will be received until **4:00 P.M., Friday, February 26, 2010, at the following address:**

#### Mailing Address

Berkeley County Water &  
Sanitation  
ATTN: Cheryl Lyons  
P.O. Box 1529  
Moncks Corner, South Carolina 29461

#### Hand Carry Address

Berkeley County Water &  
Sanitation  
ATTN: Cheryl Lyons  
212 Oakley Plantation Dr.  
Moncks Corner, South Carolina 29461

The original and all copies must be submitted in a sealed envelope or container stating on the outside, the respondents name, address, telephone number, RFP title, and due date. No facsimile or e-mail responses will be considered.

The responsibility for submitting a response to this RFP on or before the stated time and date will be solely and strictly that of the respondent. Berkeley County will in no way be responsible for delays caused by the U.S. Post office or caused by any other entity or by any occurrence. Responses received after the RFP due date and time will not be considered and will be returned unopened.

## **SECTION II - SCOPE OF SERVICES**

BCWS seeks submission of proposals from engineering firms for general solid waste projects. These projects include; but are not limited to, Class III, II, and I Expansions, compost facility, recycling, convenience centers, strategic planning, CQA, landfill closures, ground water monitoring, air quality, leachate control, construction documents and bid recommendations, Landfill Gas to Energy, Title V Permit issues, GHG Reporting requirements, and other landfill related projects as needed.

BCWS intends to enter into Master Agreements with one or more respondents to this RFP. Master Agreements will not result in a guarantee that any work will be awarded to respondent. Task Orders will be issued for each engineering project as they are required. Respondent should submit an updated employee hourly rate sheet which will become the basis for each proposed project. The selected firm shall provide annually an updated employee hourly rate sheet by March 1st of each year. This contract shall be reviewed each year for performance and cost factors and either party can elect to terminate the contract with 30 days written notice. This contract shall not exceed five (5) years, at which time BCWS can elect to extend this contract for an additional five years, with annual review as stated, or elect to terminate the contract at that time.

Respondent will be required to sign BCWS's Standard Form of Agreement between Owner and Engineer for Professional Services – Task Order Edition (“Master Agreement”) and Task Orders for individual tasks.

**Planning Documents:** There are several master planning documents which will be made available for potential respondents. Additionally, the Master Agreement documents and Task Order forms are available for viewing. These documents can be viewed by appointment Monday – Friday (8:00 A.M. – 4:00 P.M.), by calling BCWS at (843) 719-2386.

These documents are:

- Solid Waste Management Engineering Master Plan
- Landgem Model 2006
- Latest Survey Drawing
- Permitted LFGTE Construction Drawings and Specifications
- Latest Tier II Testing Report
- SCDHEC MSW Reports
- BCWS Standard Form of Agreement Between Owner and Engineer for Professional Services – Task Order Edition (“Master Agreement”) and Task Orders for individual tasks

### **SECTION III – PROPOSAL FORMAT**

The respondent must be capable of producing final bidding/construction documents and drawings, the preparation of cost estimates and specifications in coordination with BCWS.

Submittals must contain the following documents, each fully completed, and signed as required.

A. Table of Contents -

Outline in sequential order the major areas of the proposal, including enclosures. All pages must be consecutively numbered and correspond to the Table of Contents.

B. Proposal Points to Address -

Proposer must respond to all minimum requirements listed below. Proposals which do not contain such documentation will be deemed non-responsive.

- Introduction letter designating areas of proposed services and sufficient information as to the qualifications of the submitter. Interested firms should submit documents that provide evidence of capability to provide the services required for this project as a submittal package.
- Respondents must provide documentation which demonstrates their ability to satisfy all of the minimum proposal requirements.
- Client references. List a minimum of five (5) client references that our Selection Committee members may communicate with regarding your services.

C. Price Proposal – Submit employee hourly rate sheet.

D. Any other document required by this RFP.

### **SECTION - IV MINIMUM REQUIREMENTS**

All firms that submit a proposal for consideration must meet the minimum proposal qualifications as provided below. If the minimum qualifications are not met, the respondent's submittal will be rejected as non-responsive. Proposals will be considered only from respondents that are regularly engaged in the business of providing the services as described in this proposal.

A. Respondent Experience –

Indicate the respondent's years of experience in providing the requested professional service. Provide resumes for key members as well as an organizational chart.

Provide a list of all solid waste projects undertaken during the past five (5) years which includes the following information for each project: project scope, project cost,

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project responsibilities, project manager and contact information, and name and contact information of an individual who can attest to respondent's activities and performance in relation to the project. List and describe all legal claims against the respondent alleging errors and/or omissions, or any breach of professional ethics, including those settled out of court, during this period.

B. Project Manager's Experience –

Provide a comprehensive summary of the experience and qualifications of the individual who will be selected to serve as the Project Manager. This individual must have a minimum of five (5) years experience in the planning, design and construction administration of solid waste projects.

C. Knowledge of SCDHEC Solid Waste Regulations.

**SECTION V - EVALUATION/SELECTION PROCESS**

The procedure for RFP response evaluation and selection is as follows:

- Request for proposal issued.
- Receipt of responses.
- Opening of responses and determination if they meet the minimum standards of responsiveness.
- An Evaluation Committee, appointed by the Director, shall meet to evaluate each response in accordance with the requirements of this RFP. If further information is desired, respondents may be requested to make additional written submissions or oral presentations to the Evaluation Committee.
- The Evaluation Committee will recommend to the Director the response or responses of which the Evaluation Committee deems to be in the best interest of BCWS.

The Evaluation Committee shall base its recommendations on the following factors:

- The respondents experience with similar scope and size Solid Waste Projects..... (35 Points)
- Project Management (identify CQA and include details about it in Section IV.B. above) abilities..... (35 Points)
- Knowledge of SCDHEC Solid Waste Regulations.....(30 Points)

After considering the recommendation(s) of the Evaluation Committee, the Director shall recommend to the Berkeley County Council the response or responses which the Director deems to be in the best interest of Berkeley County Water & Sanitation.

A proposed Master Agreement will be presented to the Berkeley County Council for approval, modification and approval, or rejection.

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Important Note:

By submitting a response, all respondents shall be deemed to understand and agree that no property interest or legal right of any kind shall be created at any point during the aforesaid evaluation/selection process until and unless a contract has been agreed to and signed by both parties. Further, while BCWS may enter into a Master Agreement with respondent, no work is authorized under that agreement which obligates BCWS for payment until execution of individual Task Orders.

**SECTION VI - LEGAL TERMS AND CONDITIONS**

**A. Modification/Withdrawals of Submittals -**

A respondent may submit a modified response to replace all or any portion of a previously submitted response up until the RFP due date and time. Modifications received after the RFP due date and time will not be considered.

Responses shall be irrevocable until contract award unless withdrawn in writing prior to the RFP due date or after expiration of 120 calendar days from the opening of responses without a contract award. Letters of withdrawal received after the due date and before said expiration date and letters of withdrawal received after the contract award will not be considered.

**B. RFP Postponement/Cancellation/Rejection -**

The County may, at its sole and absolute discretion, reject any and all, or parts of any and all, responses and:

- Re-advertise this RFP.
- Postpone or cancel this RFP process.
- Waive any irregularities in this RFP or in any responses received as a result of this RFP.

**C. Cost Incurred by Respondents -**

All expenses involved with the preparation and submission of responses to Berkeley County Water & Sanitation, or any work performed in connection therewith, shall be the sole responsibility of the respondent(s) and not be reimbursed by Berkeley County Water & Sanitation.

**D. Exceptions to RFP -**

Respondents must clearly indicate any exceptions they wish to take to any of the terms in this RFP, and outline what alternative is being offered. Berkeley County Water & Sanitation after completing evaluations may accept or reject the exceptions. In cases in which exceptions are being rejected, Berkeley County Water & Sanitation may require the respondent to furnish the services or goods originally described, or negotiate an alternative acceptable to Berkeley County Water & Sanitation.

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E. Freedom of Information Act –

Respondents must clearly mark as "Confidential" each part of their offer which they consider to be proprietary information that could be exempt from disclosure under Section 30-4-40, Code of Laws of South Carolina, 1976 as amended (Freedom of Information Act). If any part is designated as "confidential", there must be attached to that part an explanation of how this information fits within one or more categories listed in Section 30-4-40. BCWS reserves the right to determine whether this information should be exempt from disclosure and no legal action may be brought against BCWS and/or its agents for any determination in this regard.

F. Respondent Responsibility -

Before submitting responses, each respondent shall make all investigations and examinations necessary to ascertain all conditions and requirements affecting the full performance of the contract. Ignorance of such conditions and requirements resulting from failure to make such investigations and examinations will not relieve the successful respondent from any obligation to comply with every detail and with all provisions and requirements of the contract documents, or will be accepted as a basis for any claims whatsoever for any monetary consideration on the part of the respondent.

G. Assignment -

The successful respondent shall not enter into any subcontract, retain consultants, or assign, transfer, convey, sublet, or otherwise dispose of this contract, or of any or all of its right, title, or interest there in, or its power to execute such contract to any person, firm, or corporation without prior written consent of Berkeley County Water & Sanitation. Any unauthorized assignment shall constitute a default by the successful respondent.

H. Termination for Default -

If through any cause within the reasonable control of the successful respondent, it shall fail to fulfill in a timely manner, or otherwise violate any of the covenants, agreements, or stipulations material to the agreement, Berkeley County Water & Sanitation shall thereupon have the right to terminate the services then remaining to be performed by giving written notice to the successful respondent of such termination which shall become effective upon receipt by the successful consultant of the written termination notice.

In that event, Berkeley County Water & Sanitation shall compensate the successful respondent in accordance with the agreement for all services performed by the consultant prior to termination, net of any costs incurred by Berkeley County Water & Sanitation as a consequence of the default.

Notwithstanding the above, the successful respondent shall not be relieved of liability to Berkeley County Water & Sanitation for damages sustained by Berkeley County Water & Sanitation by virtue of any breach of the agreement by the respondent, and Berkeley County Water & Sanitation may reasonably withhold payments to the

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successful respondent for the purposes of set off until such time as the exact amount of damages due to Berkeley County Water & Sanitation from the successful respondent is determined.

**SECTION VII - QUALIFICATION DOCUMENTS**

Attachment A - Respondent Certification  
Attachment B – Information Questionnaire

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**ATTACHMENT A**  
**RESPONDENT CERTIFICATION**

I have carefully examined the Request for Proposal, and any other documents accompanying or made a part of the RFP.

I hereby propose to furnish the goods or services specified in the Request for Proposal. I agree that my proposal will remain firm for a period up to 120 days in order to allow BCWS adequate time to evaluate the proposal submitted.

I verify that all information contained in this proposal is truthful to the best of my knowledge and belief. I further certify that I am duly authorized to submit this proposal on behalf of the firm as its act and deed and that the firm is ready, willing and able to perform if awarded the contract.

I further certify, under oath, that this proposal is made without prior understanding, agreement, connection, discussion, collusion with any other person, firm or corporation submitting a proposal for the same product or service. No officer, employee or agent of BCWS or any contractor is interested in said proposal, and that the undersigned executed this certification with full knowledge of the matters therein contained and was duly authorized to do so.

\_\_\_\_\_  
NAME OF BUSINESS

Sworn to and subscribed before  
me this \_\_\_\_\_ day of  
\_\_\_\_\_, 2010

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
NAME & TITLE, TYPED OR PRINTED

\_\_\_\_\_  
Notary Public

State of \_\_\_\_\_

\_\_\_\_\_  
MAILING ADDRESS

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
CITY, STATE AND ZIP CODE

\_\_\_\_\_  
TELEPHONE NUMBER

## **ATTACHMENT B INFORMATION QUESTIONNAIRE**

The information submitted herein will be used by the BCWS, to assess the responsibility of the respondent to perform as specified in this RFP. Submittal of this information is mandatory; failure to do so will result in the respondent being deemed non-responsive. Additionally, the respondent is required to certify, under oath, that the information provided herein is truthful and complete.

The respondent should prepare the requested information in the following sequence and format. Failure to provide all requested information will be considered grounds for rejection of the submittal.

1. Furnish the Organization's name and principal address.
2. Is the Organization a corporation, partnership, joint venture or "other"?
  - a) If corporation, furnish date and state of incorporation and names of the president, vice-president, secretary and treasurer.
  - b) If partnership, furnish date of organization, type of partnership (if applicable) and name(s) of general partner(s).
  - c) If joint venture, furnish names of participants and corresponding percentage of participation. Additionally, if the participants are a corporation, a partnership or "other", furnish the information for the individual participants as requested herein for their respective types of organization.
  - d) If "other", furnish information sufficient to describe the organization's ownership and business structure.
3. How many years has the Organization been in business under its present name?
4. Has the Organization operated under previous and/or other names? If so, furnish names, addresses and corresponding lengths of time in business.
5. Furnish the following information relating to the Organization's performance in the landfill gas to energy industry. If the Organization is a partnership or joint venture, furnish the requested information on each of the participating entities. If the organization has operated under previous and/or other names, furnish the following information for those named businesses.
  - a) Provide proof of Organizations' experience as delineated by the minimum requirements section of this RFP. Specific requirements are that the proposer shall have a minimum of five (5) years experience in the solid waste industry.

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Companies that have been in business less than five (5) years may demonstrate the required experience by a showing that the principals and officers of the company who would be administering and managing the project have the requisite level of experience.

b) Has the Organization ever failed to complete the work in any contract awarded to it? If so, furnish details.

c) Within the last five years, has any officer or principle of the Organization or any of its participating entities been an officer or principle of any other organization that failed to complete the work on any contract awarded to it? If so, furnish details.

d) Furnish the total dollar volume of solid waste work the Organization has performed for each of the past five years.

e) Furnish a list of the key personnel that will be involved with this project if the Organization is the successful proposer. Also include their resume, their present job commitments and the anticipated level of involvement in this Project.

6. Furnish the following information relating to the Organization's history with regard to lawsuits, claims and arbitration. If the Organization is a partnership or joint venture, furnish the requested information on each of the participating entities. If the organization has operated under previous and/or other names, furnish the following information for those named businesses.

a) Are there any lawsuits, arbitration proceedings, judgments or claims pending or outstanding against the Organization, its officers or, if appropriate, any of its participating entities? If so, furnish details.

b) Within the last five years, has the Organization or any of its participating entities filed any lawsuits or arbitration requests? If so, furnish details.

7. Furnish an audited financial statement for the Organization's latest balance sheet and income statement showing the following information. If the Organization is a partnership or joint venture, furnish the requested information on each of the participating entities. If the organization has operated under previous and/or other names, furnish the following information for those named businesses.

- Current Assets
- Net Fixed Assets
- Other Assets
- Current Liabilities
- Other Liabilities
- Name and address of the firm that prepared the statement.

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8. Furnish reference information including the names of five (5) clients with phone numbers and addresses where the bidder has completed projects of comparable scope to this project.

9. The response to this Questionnaire should be signed and attested as follows:

Date:\_\_\_\_\_

Name of  
Organization:\_\_\_\_\_

By:\_\_\_\_\_

Title:\_\_\_\_\_

Mr./Ms (Signatory) being duly sworn deposes and says that the information provided herein is true, complete and is not in any way misleading.

Subscribed and sworn before me this day\_\_\_\_\_

Notary Public: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

END OF DOCUMENT